UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO. 3:24-CV-00480-FDW-SCR

LEKISHA DEE BROWN, AS ADMINISTRATIX OF THE ESTATE OF)
KARON GOLIGHTLY,)
Plaintiff,)
v.	ORDER
WELLPATH LLC et al,)
Defendants.)))

THIS MATTER is before the Court on the motions to dismiss filed by Defendants Lisa Suddreth, (Doc. No. 28), J. Dean, (Doc. No. 29), and Josette C. Alston, Lemuelle A. Claud, Carl R. Cooper, and Wellpath LLC, (Doc. No. 30).

Federal Rule of Civil Procedure 15(a)(1)(B) permits a party to amend its pleading once as a matter of course no later than twenty-one days after service of a motion under Rule 12(b), if the pleading is one to which a responsive pleading is required. Fed. R. Civ. P. 15(a)(1)(B).

Here, Defendants served their motions to dismiss on July 15, 2024. (Doc. No. 28, p. 3; Doc. No. 29, p. 3; Doc. No. 30, p. 4.) Plaintiff then filed a First Amended Complaint on July 29, 2024, fourteen days after service of the motions to dismiss and well within the twenty-one-day timeframe set by Rule 15. (Doc. No. 40.)

IT IS THEREFORE ORDERED that the Motions to Dismiss, (Doc. Nos. 28, 29, 30), are **DENIED as moot**.

IT IS SO ORDERED.

Signed: January 16, 2025

Frank D. Whitney

Senior United States District Judge